UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

January 24, 2003

MEMORANDUM FOR: William T. Hogarth, Ph.D.
Assistant Administrator for Fisheries

FROM: James W. Balsiger
Administrator, Alaska Region

SUBJECT: Schedule Extension for the North Pacific Fishery Management Council's Essential Fish Habitat Environmental Impact Statement – DECISION MEMORANDUM

The Alaska Region has been working diligently with the North Pacific Fishery Management Council, the Council's Essential Fish Habitat (EFH) Committee, and a wide array of stakeholders to develop the Environmental Impact Statement (EIS) required by the AOC et al. v. Daley settlement agreement. The settlement agreement requires the agency to publish a Draft EIS by August 1, 2003. Our internal schedule called for the Council to finalize the alternatives for analysis at its October 2002 meeting. The Council did finalize the alternatives for identifying EFH and Habitat Areas of Particular Concern in October, but has continued to work on the alternatives for minimizing adverse effects of fishing on EFH. Although it has taken longer than expected to finalize the minimization alternatives, we are pleased that the Council is poised to approve a much broader range of action-specific alternatives than many participants originally envisioned. Unfortunately, the delay in finalizing those alternatives, combined with the broader and more complex array of alternatives, has led us to conclude that we need additional time to complete a comprehensive Draft EIS.

Based on the current range of alternatives, and assuming the Council finalizes those alternatives at next week's meeting, the Alaska Region needs a 12-month extension for the Draft EIS. As described on the attached proposed schedule, we would use that time to do quantitative spatial analyses, catch projections, and related analytical work to provide a clearer picture of the changes to the fisheries and the environment that would be anticipated under each alternative in the Draft EIS. If the existing schedule cannot be extended, we will complete a much more qualitative Draft EIS with correspondingly less detail. My staff has discussed our proposed extension in detail with staff in the Office of Habitat Conservation and General Counsel for Fisheries.

I request that you concur with our proposal to work through the Department of Justice to secure this 12-month extension for the Draft EIS. Because we envision developing any necessary FMP amendments concurrent with the EIS process, we will not need an extension of the existing schedule for implementing regulations. We would publish a Final EIS by June 1, 2005, a Record of Decision by August 13, 2005, and any implementing regulations by the existing deadline of August 13, 2006.

I concur. _____ Date _____

I do not concur. _____ Date _____

Attachment

cc: Rebecca Lent
Rollie Schmitten
Jack Dunnigan
John Hansel
Jon Kurland
Sue Salveson
Doug Demaster
John Lepore

EFH Draft EIS – Proposed Schedule (from January 2003 forward)

January-February 2003: Finalize Mitigation Alternatives
- Baseline scenario, Alternatives 5B and 6, and research design

January-March 2003: Develop Chapter 3 (Affected Environment)

February-June 2003: Develop Maps & Text for EFH Designation Alternatives and HAPC Alternatives
- Development and drafting
- Review and critique by species experts

March-November 2003: Pre-Analysis Tasks
- Data base and GIS queries for groundfish to determine fishery changes by alternative (6+ months)
- Data base and GIS for scallop/crab/salmon to determine fishery changes by alternative (2+ months)
- Stock assessment and prohibited species catch projections for all mitigation alternatives (2+ months)
- TAC specifications for all mitigation alternatives (1+ months)
- Spatial model for analyzing fishing effects on habitat (requires bycatch model and EFH by area first)
- Develop Appendices:
  - Appendix A Documentation of the scoping process
  - Appendix B Evaluation of fishing activities that may adversely affect EFH
  - Appendix D Detailed maps and text descriptions of EFH by Alternative
  - Appendix E Detailed maps and text descriptions of HAPC by Alternative
  - Appendix G Habitat assessment reports
  - Appendix H Effects of non-fishing activities on EFH
  - Appendix I Analytical methods to evaluate the effects on target species

November 2003 - January 2004: Develop Chapter 4 (Environmental Consequences)
- Biological and habitat effects of mitigation alternatives
- Socioeconomic analysis, Regulatory Impact Review, Initial Regulatory Flexibility Analysis
- Cumulative impact analysis

January-March 2004: Document preparation and editing

February 2004: Develop NMFS EFH recommendations

March 2004: Internal review of preliminary Draft EIS

April 2004: Council review of preliminary Draft EIS

April-May 2004: Revisions based on Council and NMFS comments

June 2004: Final clearance and approvals by Council, NMFS, NOAA

July 2004: Document printing

August 1, 2004: Publish Draft EIS